

REMARKS/ARGUMENTS

In the Official Action, Claims 6 and 11-12 were rejected under 35 U.S.C. § 112, first paragraph, as failing to satisfy the enablement requirement. Independent claim 6 (and presumably dependent claims 11-12) was rejected under 35 U.S.C. § 112, second paragraph, as omitting essential subject matter. Claims 1-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by HAYES (U.S. Patent No. 7,046,161).

Upon entry of the amendment, claims 1-12 have been amended. Claims 1-12 are currently pending for consideration by the Examiner.

Claims 6 and 11-12 were rejected under 35 U.S.C. § 112, first paragraph, as failing to satisfy the enablement requirement. In particular, the Official Action asserts that features critical or essential to the practice of the invention were not included in the claims. Independent claim 6 (and presumably dependent claims 11-12) was rejected under 35 U.S.C. § 112, second paragraph, as omitting essential subject matter, particularly the “remote control device”. These two rejections appear to be interrelated. Thus, independent method claim 6 has been amended to clarify which system component is performing the recited method features, paying particular attention to the concern raised by the Examiner. Accordingly, Applicants respectfully request that the rejection of independent claim 6 and dependent claims 11-12 under 35 U.S.C. § 112, first paragraph, and the rejection of claim 6 (and presumably claims 11-12) under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1-12 were also rejected under 35 U.S.C. § 102(e) as being anticipated by HAYES. Although the Examiner cited HAYES’ U.S. Patent No. 7,046,161 in the statement of the rejection, Applicants note that the Examiner cited HAYES’ U.S. Patent Application Publication No. 2003/0141987 on the “Notice of References Cited” (Form PTO-892) and also referenced the

paragraph numbers contained therein in the rejection. Thus, Applicants request that this inconsistency be resolved in the next Official communication.

With regard to independent claims 1-2 and 5-6, the Examiner asserts that HAYES discloses all of the features recited therein, citing HAYES' paragraphs [0029], [0075], [0077], [0080], [0082], [0085], and [0087]. Applicants submit that the Official Action has provided a very generalized rejection of independent claims 1-2 and 5-6, without specifically identifying how the specific components of HAYES correspond to the features recited in Applicants' independent claims. Thus, Applicants submit that upon a closer review of HAYES, that HAYES fails to disclose at least several features recited in each of the independent claims.

Applicants submit that HAYES generally discloses a system and method for automatically setting up a universal remote control. Applicants also submit that the cited paragraphs of HAYES indicate that HAYES' centralized device database server (300) stores appliance related information and downloads the information to HAYES' remote control (10) from the centralized device database server (300) to set up the universal remote control.

Applicants submit that when HAYES' system is controlling an appliance (which generally corresponds to Applicants' controlled device) with HAYES' universal remote control (10) (which generally corresponds to Applicants' remote terminal), HAYES' system transmits a command directly from the universal remote control (10) to the appliance. In contrast, according to Applicants' system as recited in claim 1, when controlling Applicants' controlled device from Applicants' remote terminal, Applicants' control information, i.e., command, is transmitted from the remote terminal to Applicants' remote controller, which then processes the command and outputs a signal useable by the controlled device. In particular, lines 1-5 of Applicants' independent claim 1 explicitly recites a controlled device that is controlled though a network and

a remote controller which transmits control information based on a user instruction provided on a remote terminal, distinct from the remote controller, to the controlled device through the network. This distinctly different system configuration, particularly the various features of Applicants' remote controller, is recited in more detail in the remainder of claim 1. Applicants also direct the Examiner's attention to Applicants' Figure 1, and the corresponding description, which generally illustrate the configuration of Applicants' system, including many of the features recited in claim 1.

Applicants submit that claim 1 also explicitly recites a device type decisioner that receives the device type information from the device type storage of the controlled device which is designated by an instruction received from the remote terminal. Applicants submit that HAYES fails to disclose this feature, since HAYES' centralized device database server (300) does not receive device type information representing a type of controlled appliance directly from HAYES' appliance. Applicants further submit that HAYES fails to disclose WEB display data generator that functions as recited in claim 1 as well.

Applicants submit that HAYES fails to anticipate independent claim 1 since HAYES fails to disclose each and every feature recited in claim 1. Applicants also submit that since independent claims 2 and 5-6 recite features similar to those discussed above regarding independent claim 1, that HAYES also fails to anticipate claims 2 and 5-6. Applicants further submit that claims 3-4, 9-10, 7-8, and 11-12, which depend upon independent claims 1, 2, 5, and 6, respectively, are also patentable for at least the reasons discussed above, and further for the additional features recited therein. Accordingly, Applicants respectively request that the anticipation rejection of claims 1-12 under 35 U.S.C. § 102(e) as being anticipated by HAYES be withdrawn.

SUMMARY

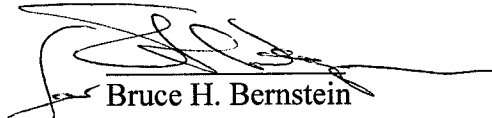
From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested and an indication of the allowance of claims 1-12 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,

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